

grew rapidly and the small kitchen could no longer keep up with the demand. In 1996, Amy moved to a commercial bakery and purchased two distribution trucks. These investments tripled her business size and distribution territory. Amy now also has two stores in Farmingdale and Freeport, where she sells her mouth-watering treats.

Today, Amy's small company sells 24 different varieties of whoopie pies, including many seasonal favorites like pumpkin and peppermint, and produces nearly one million Wicked Whoopies each year! Amy also recently added the decadent and innovative "Whoop-de-Doo" to her line up; a smaller version of a classic Wicked Whoopie dipped in chocolate. Her business has received countless reviews and awards for its products, and has been featured on several nationally televised shows, such as "The Oprah Winfrey Show" in 2003, "Good Morning America" in 2005, and Food Network's "Unwrapped" in 2007. Wicked Whoopies have also been promoted in the New York Times, the Associated Press, and are even available for purchase on the Home Shopping Network's Web site for the 2011 holiday season. Additionally, the city of Gardiner Board of Trade awarded Isamax Snacks with its President's Award in 2004 and Interface Tech News awarded Wicked Whoopies "Maine's Best of the Web" in the e-commerce category in 2005.

Over the last 15 years, Isamax Snacks has established itself as one of the country's premier and most heralded whoopie pie and dessert companies. This national notoriety is richly deserved as Amy Bouchard's small dream to help her family blossomed into a vibrant small business. I am proud to congratulate Amy and everyone at Isamax Snacks on their outstanding work, and wish them continued success.●

#### SIX-MONTH PERIODIC REPORT RELATIVE TO THE NATIONAL EMERGENCY THAT WAS DE- CLARED IN EXECUTIVE ORDER 12938 WITH RESPECT TO THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION—PM 33

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this pro-

vision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938, as amended, is to continue in effect for 1 year beyond November 14, 2011.

BARACK OBAMA.  
THE WHITE HOUSE, November 9, 2011.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3877. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure" (RIN0648-XA753) received in the Office of the President of the Senate on October 20, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3878. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Accountability Measures and Reduced Season for the South Atlantic Recreational Sector of Golden Tilefish for the 2011 Fishing Year" (RIN0648-XA701) received in the Office of the President of the Senate on October 20, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3879. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub ACL (Annual Catch Limit) Harvested for Management Area 1B" (RIN0648-XA413) received in the Office of the President of the Senate on October 20, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3880. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Direct Investment Surveys: Alignment of Regulations with Current Practices" (RIN0691-AA78) received in the Office of the President of the Senate on October 20, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3881. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments; Amendment No. 496" (RIN2120-AA63) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3882. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Function and Reliability Flight Testing for Turbine-Powered Airplanes Weighing 6,000 Pounds or Less" ((RIN2120-AAJ56) (Docket No. FAA-2010-0218)) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3883. A communication from the Senior Program Analyst, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Allakaket, AK" ((RIN2120-AA66) (Docket No. FAA-2011-0756)) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3884. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Northway, AK" ((RIN2120-AA66) (Docket No. FAA-2011-0758)) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3885. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (64); Amdt. No. 3446" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3886. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (44); Amdt. No. 3447" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3887. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment and Establishment of Air Traffic Service Routes; Northeast United States" ((RIN2120-AA66) (Docket No. FAA-2011-0376)) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3888. A communication from the Senior Regulations Specialist, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Federal Drug Testing Custody and Control Form; Technical Amendment" (RIN2105-AE13) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3889. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Mail or Telephone Order Merchandise Rule" (RIN3084-AB07) received during recess of the Senate in the Office of the President of the Senate on October 26, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3890. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program, Memorandum Opinion and Order and Order, CG Docket No. 10-51" (FCC 11-155) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3891. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons on the Entity List; Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States" (RIN0694-AE97) received during adjournment of the Senate in the Office of the President of the Senate on October 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3892. A communication from the Secretary of Transportation, transmitting, the Department's fiscal year 2011 annual report as required by the Superfund Amendments and Reauthorization Act (SARA) of 1986; to the Committee on Commerce, Science, and Transportation.

EC-3893. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report relative to the accomplishments made under the Airport Improvement Program for fiscal year 2009; to the Committee on Commerce, Science, and Transportation.

EC-3894. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Panama City, Florida" (MB Docket No. 11-140) received in the Office of the President of the Senate on November 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3895. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Anglers for Christ Ministries, Inc.; New Beginning Ministries; Petitioners Identified in Appendix A; Interpretation of Economically Burdensome Standard; Amendment of Section 79.1(f) of the Commission's Rules; Video Programming Accessibility, Memorandum Opinion and Order, Order, and Notice of Proposed Rulemaking" (FCC 11-159) received in the Office of the President of the Senate on November 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3896. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "73.1201 Station Identification (vacates rule change and eliminates effective date note 2); 73.3526 Local Public Inspection File of Commercial Stations (vacates rule change and eliminates effective date note 2); 73.3527 Local Public Inspection File of Noncommercial Educational Stations (vacates rule change and eliminates effective date note)" (FCC 11-162) received in the Office of the President of the Senate on November 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3897. A communication from the Director, Office of Science and Technology Policy, Executive Office of the President, transmitting, pursuant to law, a report of relative to the conclusion of the U.S. Government Accountability Office (GAO) that the Office of Science and Technology Policy violated the Antideficiency Act by engaging in diplomatic activities purportedly prohibited by section 1340(a) of the Department of Defense and Full-Year Continuing Appropriations Act, 2011; to the Committee on Appropriations.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transpor-

tation, with an amendment in the nature of a substitute:

S. 453. A bill to improve the safety of motorcoaches, and for other purposes (Rept. No. 112-93).

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

\*John Francis McCabe, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

\*Peter Arno Krauthamer, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

\*Danya Ariel Dayson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

\*Nancy Maria Ware, of the District of Columbia, to be Director of the Court Services and Offender Supervision Agency for the District of Columbia for a term of six years.

\*Michael A. Hughes, of the District of Columbia, to be United States Marshal for the Superior Court of the District of Columbia for the term of four years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE:

S. 1831. A bill to direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Mr. BLUNT, Mr. WHITEHOUSE, Mr. CORKER, and Mr. PRYOR):

S. 1832. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; to the Committee on Finance.

By Mr. MANCHIN (for himself, Mr. COATS, Mr. NELSON of Nebraska, and Mr. CORKER):

S. 1833. A bill to provide additional time for compliance with, and coordinating of, the compliance schedules for certain rules of the Environmental Protection Agency; to the Committee on Environment and Public Works.

By Mr. CORKER:

S. 1834. A bill to restore and repair the United States mortgage markets by making them transparent, bringing in private capital, winding down the Government-sponsored enterprises, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HAGAN (for herself, Mr. CORKER, Mr. SCHUMER, and Mr. CRAPO):

S. 1835. A bill to establish standards for covered bond programs and a covered bond regulatory oversight program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself and Mr. NELSON of Florida):

S. 1836. A bill to amend the Oil Pollution Act of 1990 to clarify that the Act applies to certain incidents that occur in water beyond the exclusive economic zone of the United States; to the Committee on Environment and Public Works.

By Mr. LEE (for himself, Mr. CRAPO, Mr. DEMINT, Mr. PAUL, Mr. RISCH, and Mr. BLUNT):

S. 1837. A bill to amend the Internal Revenue Code of 1986 to modify and permanently extend the incentives to reinvest foreign earnings in the United States; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. BOOZMAN, and Mr. PRYOR):

S. 1838. A bill to require the Secretary of Veterans Affairs to carry out a pilot program on service dog training therapy, and for other purposes; to the Committee on Veterans' Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Res. 318. A resolution to authorize the printing of a revised edition of the Senate Rules and Manual; considered and agreed to.

By Mr. GRAHAM (for himself, Mr. CASEY, and Mr. MCCAIN):

S. Res. 319. A resolution honoring the life and legacy of Joe Frazier; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 273

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 273, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 362

At the request of Mr. WHITEHOUSE, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 431

At the request of Mr. PRYOR, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Kansas (Mr. MORAN) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 730

At the request of Ms. MURKOWSKI, the name of the Senator from Louisiana